



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
P.O. Box 8044
Madison, Wisconsin 53708-8044
TTY: Contact Through Relay
Jim Doyle, Governor
Richard J. Leinenkugel, Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 62
Commerce #: 53704-3600-68-A
BRRTS #: 03-13-170385
Site Name: 3868 E Washington Ave LLC
Site Address: 3868 E Washington Ave, Madison, 53704
Site Manager: Wendell Wojner
Address: 3911 Fish Hatchery Rd
City, State, Zip: Fitchburg, WI 53711-5367
Phone: 608-275-3297
e-mail: wendell.wojner@wisconsin.gov
Bid Manager: Jon Heberer
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 261-5405
e-mail: Jon.Heberer@Wisconsin.Gov

Bid-Start Date:	August 24, 2009
Questions must be received by (See Section 2 (B)):	September 07, 2009, 4:00 PM
Responses will be posted by (See Section 2 (B)):	September 25, 2009
Bid-End Date and Time:	October 09, 2009, 4:00 PM

Excerpts of report(s) and other pertinent information are included with this bid as a separate Adobe® pdf-formatted document for viewing and downloading. No copy shop is being used for purchase of hard copies of this information.

The case file that includes all reports submitted to date and upon which bids are being sought is available for review at the Site Manager's office location listed above. Please contact the Site Manager for an appointment to review the file.

SECTION 2 – Site-Specific Bid Requirements

General Comments

Two 1,000 gallon petroleum underground storage tanks were reportedly removed at this location in 1977. In 1997, approximately 150 cubic yards of contaminated soil were removed from the former tank bed area as part of an interim remedial action. Site investigation activities conducted from 1997 through 2001 identified on-site soil contamination and on and off-site groundwater contamination. Development activities have resulted in a small commercial mall being located on the site, with buildings and a parking lot overlying the residual soil contamination. Based on the Contamination Assessment Report, August 2001 the soils at the site consist of interbedded silt, silty sand, poorly graded sand, and well graded gravel to a depth of approximately 107 feet. Bedrock was encountered at approximately 107 feet below ground surface and reportedly consists of fine grained, well sorted, and well rounded quartz grain sandstone. The depth to groundwater is approximately 35-40 feet, and flows to the north. Madison City Well #15 is located approximately 300 feet north and downgradient of the site. There is a downward vertical groundwater flow through the unconsolidated material to the bedrock due to the pumping of this city well.

Post excavation soil samples collected in 1997 indicated the presence of contamination levels exceeding current NR 720 standards, from a depth of 10 feet below the surface to near the water table at 30-36 feet. The volume of the contaminated soil below the site had been estimated at over 9000 cubic yards.

Between 2003 and 2005, two soil vapor extraction wells and four groundwater extraction wells were installed at the site. The SVE system operated for three months in one season and six months in another season ending in 2006. It reportedly had limited effectiveness and no confirmation samples were taken. The groundwater extraction system operated for 2.5 years intermittently. Approximately 5 million gallons of groundwater have been removed from the site.

Groundwater contamination extends off site at least 250 feet toward the north.

High petroleum concentrations are present at the source (18,700 ppb benzene in MW-4 and 10,200 ppb benzene in PZ-4A). Petroleum concentrations at the furthest downgradient (250 feet) well nest were detected below PAL (except 1,2- Dichloroethane at 2.4 ppb) at a depth of 90 feet (PZ-6A) and at a depth of 115 feet (PZ-6B) BETX concentrations were detected below PAL.

Free product has not been reported, but may be present. To date petroleum contamination has not been found in water produced by the city well. The contaminant mass in groundwater has not been estimated at this site.

The following Environmental Factor(s) were identified in the Site Investigation Report for this site:

- Documented expansion of the plume margin.
- Verified contaminant concentrations in a private or public potable well that exceeds the preventive action limit established under ch. 160, Stats..
- Contamination within bedrock or within 1 meter of bedrock.

Minimum Remedial Requirements

1. Conduct an assessment of the remedial system in place at the site. Note: No construction documentation report/as built reports are available. The purpose of the assessment is to determine the effectiveness and capabilities of the system. The depth of the groundwater recovery wells is at 85 feet below ground surface and they have 15 foot screens. The last water samples taken from the recovery wells (March 2008) did not show significant contamination. It is not known whether the results reflect the action of the recovery wells or if the placement of the well screens may have been in areas of limited contamination. The assessment should be used to determine whether the system can be used if it is so needed or if it can be modified or if it needs to be properly abandoned.

2. A groundwater monitoring program shall be implemented to demonstrate plume reduction via remedial effort and/or natural attenuation. A minimum of two years of semi-annual groundwater sampling is required. Groundwater samples shall be collected from monitoring points MW-1, PZ-1A, PZ-1B, MW-2, MW-3, MW-4, PZ-4A, MW-5, MW-5A, MW-5B, MW-6, PZ-6A, PZ-6B, MW-7, RW-1, RW-2, RW-3, RW-4 for the analysis of petroleum volatile organic compounds (PVOCs) and Naphthalene. The natural attenuation indicator parameters shall be conducted on an annual basis. Bidders should follow the recommended RNA parameter list found on TABLE 3-1 of the Wisconsin Department of Natural Resources *Interim Guidance on Natural Attenuation for Petroleum Releases*, PUB-RR-614, October, 1999.

If free product is discovered, the DNR project manager will be contacted upon discovery. The free product should be measured and recorded. Free product should be removed prior to collecting any groundwater sample. Any flammable products shall be handled in a safe and competent manner to prevent fires or explosions and properly reuses or treats discharges of recovered byproducts in compliance with applicable state and federal laws. Collect and analyze a sample of weathered LNAPL for density (gm/cc) viscosity (cp) and surface and interfacial tensions (dyne/cm) for the following three pairs: air/water, air/LNAPL, and LNAPL/water. Results should be provided at or near groundwater temperatures.

Water table elevations shall be obtained for each sampling round and presented in tabular form. Groundwater flow maps shall be drawn using the data.

A brief groundwater monitoring report, which will include updated groundwater monitoring tables, groundwater measurements, groundwater contour maps, groundwater contamination extent maps and cumulative free product check and removal documentation, is to be submitted within 45 days of the receipt of the laboratory data for each event. The data shall be submitted in paper form, and in an Excel spreadsheet on computer media such as a cd or diskette.

Bid responses include a separate contingency costs for additional groundwater sampling past the initial two years.

3. While this is not a bid to closure, there is a possibility of attaining closure at the conclusion of the work scope conducted under this bid. If upon completion of the work scope discussed above, closure is available and the WDNR project manager concurs, prepare and submit an updated closure report for closure consideration by the WDNR (and provide a copy to Commerce). The closure request submittal for this site shall follow the updated closure request form as described on the DNR web page at www.dnr.state.wi.us/org/aw/rr. Bid responses include a separate contingency cost to

prepare and submit a complete closure report and GIS Registry packet (and all other closure related costs), for closure consideration by the Department of Natural Resources, if closure can be realized. The closure report must include the data results and documentation of the work activities completed in accordance with this bid.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further

questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids

submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.

4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE – BID ROUND 62

(1st Page)

Department of Commerce PECFA Program

Site Name: 3868 E Washington Ave LLC

Commerce #: 53704-3600-68-A

BRRTS #: 03-13-170385

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2760 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE – BID ROUND 62**(2nd Page)**

Department of Commerce PECFA Program

Site Name: 3868 E Washington Ave LLC**Commerce #: 53704-3600-68-A****BRRTS #: 03-13-170385****Consulting Firm Name:** _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Remedial System Assessment	\$	
2	Groundwater Sampling, Semi-annually for two years <i>Including laboratory analyses and waste disposal</i>	\$	
3	Reporting	\$	
4	PECFA Claim Preparation	\$	
	Total Bid Amount	\$	
CONTINGENCY COSTS (Will be Approved and Added to the Bid Cap as Needed)			
•	Removal of free product (per well)	\$	
•	LNAPL Assessment <i>Free Product sampling</i> <i>Including laboratory analyses, waste disposal and reporting</i>	\$	
•	Groundwater Sampling (per well) <i>Including laboratory analyses for PVOC and Napthalene, and waste disposal</i>	\$	
•	Analyses Natural Attenuation Parameters (per well)	\$	
•	Reporting of additional groundwater sampling	\$	
•	Closure-related costs (lump sum) <i>Including but not limited to case summary and closeout form and report, GIS Registry requirements, appropriate notification to the public</i>	\$	
•	Monitoring Well Abandonment	\$	